

### PROPOSAL 3- ATHLETIC TERRITORY/FEEDER PATTERN PROPOSAL - March 28, 2006

**Rationale** – This proposal would define athletic territories for KHSAA member schools. Students within the athletic territory of the school would be permitted to attend the member school without athletic eligibility restrictions provided the student is otherwise eligible. Students outside the territory would face a loss of eligibility at all levels of play for the first year at the school and at the varsity level for the second year. This proposal would codify an affiliated school / feeder pattern determination as a means of restricting eligibility and attempting to make equivalent the “drawing areas” for non-public schools and the school district boundaries of public schools.

#### **Bylaw 4. Enrollment**

##### **Sec. 1) Athletic Territory and Feeder Pattern Requirement**

- a) Purpose of this Bylaw - this Bylaw establishes an athletic territory and feeder pattern for each member school of the KHSAA.
- b) Definitions for this Bylaw
  - i) Classification of Schools – means the classification of the member schools as defined by the Kentucky Department of Education. The six current classifications are: (1) A1 - District operated general program or multi-program schools; (2) D1 – Kentucky Department of Education operated schools (Blind and Deaf); (3) F1 - Federal Dependent Schools; (4) J1 - Roman Catholic schools; (5) M1 - Other Religious schools; and (6) R1 -Private non-church related schools.
  - ii) Public Schools – means the schools receiving funding from the Kentucky Department of Education or comparable federal sources. Public schools shall include the members schools which are classified as A1, D1 or F1.
  - iii) Non-Public Schools – means the schools not receiving funding from the Kentucky Department of Education or comparable federal sources. Non-public schools shall include the member schools which are classified as J1, M1 and R1.
  - iv) Bonafide Residence - means the primary residence of the student and his/her custodial parents.
  - v) Non-Public School Zone – means the zone assigned to each non-public school. The four current non-public school zones are Covington, Lexington, Louisville and Owensboro. These non-public school zones shall include the counties contained in the geographic alignment related to the archdiocese of the same name.
  - vi) Public School Governing Board – means the entity having oversight over the public member school. For purposes of this Bylaw, the “governing board” of a public school shall be the local board of education.
  - vii) Non-Public School Governing Board – means the entity having oversight over the non-public member school. For purposes of this Bylaw, the “governing board” of a non-public school shall be determined by the school type. For J1 schools, the “governing board” shall be the archdiocese and geographic references shall be the counties included in the non-public school zone of the school. For R1 and M1 schools, the “governing board” shall be as defined by the governance structure of the institution.
  - viii) Affiliated School – means the junior high/middle school that is governed by the same governing board as the member school and that enrolls students in any format to include grades seven (7) and/or eight (8).
  - ix) Terminal Public School – means a public school that is located in Kentucky which terminates after grade seven (7) or eight (8) and is neither an affiliated school to any member school nor meets the requirements of a non-resident student agreement per KRS 157.350(4).
  - x) Terminal Non-Public School – means either a non-public school that is located in Kentucky which terminates after grade seven (7) or eight (8) and is not an affiliated school to any member school or a non-public school that is located in Kentucky which terminates after grade seven (7) or eight (8) and is not an affiliated school to any member school within the same county.
  - xi) Public School Feeder Pattern – means all affiliated school(s) for a public member school as defined by the public school governing board. The public school governing board may include any or all of the public affiliated schools under its jurisdiction in the public school feeder pattern and may expand the public school feeder pattern to include any or all of the students that meet the requirements of an approved non-resident student agreement per KRS 157.350(4) or other students attending the public school within the approved policies of the Kentucky Department of Education.
  - xii) Non-Public School Feeder Pattern – means all affiliated schools for a non-public member school. For non-public schools with an average enrollment of more than 300 students in grades nine (9) through twelve (12) during the previous two years, the non-public school feeder pattern shall be the non-public affiliated schools under the auspices of the non-public school governing board and the students who have attended those affiliated schools in both grades seven (7) and eight (8). For non-public schools

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with an average enrollment of 300 or less students in grades nine through twelve during the previous two years, the non-public school feeder pattern shall be the residences within a 20-mile radius drawn from main entrance to the non-public school and any affiliated school outside of this radius.

xiii) Public Feeder School – means any affiliated school within the public school feeder pattern for a particular public member school.

xiv) Non-Public Feeder School – means any affiliated school within the non-public school feeder pattern for a particular non-public member school.

xv) Public School Athletic Territory – means any and all residences located within the district boundaries for the public school as defined by the public school governing board and may be expanded to include any or all of the students that meet the requirements of an approved non-resident student agreement per KRS 157.350(4) or other students attending the public school within the approved policies of the Kentucky Department of Education.

xvi) Non-Public School Athletic Territory – means any and all residences located within the boundaries of the non-public school feeder pattern, and the students enrolled in the member school or a defined feeder school within the properly established and reported non-public school feeder pattern.

#### c) Feeder Pattern Establishment

Each member school shall have a feeder pattern defined by this Bylaw. This feeder pattern, including a list of applicable affiliated feeder schools, shall be reported to the KHSAA on an annual basis in the manner requested by the Commissioner.

#### d) Eligibility

i) Below Grade Nine (9) Students – a student below grade nine (9) shall be eligible to participate in interscholastic athletics at a member school if:

1) the student's bonafide residence is within the member school's athletic territory;

2) the student attends the feeder school for the member school; and

3) the student's participation is not in conflict with other restrictions.

ii) Students Grades Nine (9) Through Twelve (12) – a student enrolled in any grade nine (9) through twelve (12) at a member school shall be ineligible to participate in interscholastic athletics at any level in any sport for one year from date of enrollment at the member school and ineligible to participate in interscholastic athletics at the varsity level in any sport during the second year of enrollment at the member school if:

1) the student's bonafide residence is outside of the member school's athletic territory; or

2) the student did not attend grades seven (7) and eight (8) at a feeder school for the member school.

#### iii) Exceptions

1) Terminal Schools – provided the student is eligible under all other Bylaws, a student who attended and is promoted from grade eight (8) by a terminal public school or terminal non-public school shall be eligible to participate in interscholastic athletics at any public school located within the county of the student's bonafide residence or any non-public school located within the non-public school zone of the student's bonafide residence.

2) Promotion from Affiliated School- provided the student is eligible under all other Bylaws, a student who attended and is promoted from grade eight (8) by an affiliated feeder school shall be eligible to participate in interscholastic athletics at a member school irrespective of residence location.

3) The Commissioner shall have discretion (but is not required) to waive the period of ineligibility contained in this Bylaw under the exceptions contained in Bylaw 6, Section 1 but subject to the limitations contained therein.

4) D1 and F1 schools - this Bylaw shall not apply to students enrolled at D1 or F1 schools.

iv) Member School Petition Process – a member school may petition the Board of Control to expand/reduce/define/clarify the member school's feeder pattern and/or athletic territory.

v) Compliance Responsibility – each member school shall be responsible for verifying that all student-athletes at the member school are in compliance with this Bylaw and shall maintain supporting documentation subject to disclosure to the KHSAA upon request.

*REMAINDER OF BYLAW 4 REMAINS AS PRINTED WITH SECTIONS RENUMBERED*

#### **NOTE:**

The parenthetical Case Situation would remain which identifies the six approved agencies, which would not be codified into the rules to allow for review by the Board, but would be printed in the interpretations.

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#### CS – *What is the governing Board of a non-public school?*

*For the purposes of Bylaw 4, the governing board is the Diocesan Superintendent's office for any member schools who are classified as J1 by the Kentucky Department of Education, and the governing board designated by the member school for the schools who are classified as R1 or M1.*

#### CS – *Does a student who is enrolled in a public school under a 157.350(4) reciprocal agreement or who is enrolled as a tuition paying student at a public school face any loss of eligibility on entering in grade nine?*

*This student would face no loss of eligibility and not be ineligible for one year at all levels and one year at the varsity level provided they are attending a Kentucky public school within the approved regulations and policies of the Kentucky Board of Education and the Kentucky Department of Education, adhering to all local Board of Education regulations, and are eligible according to all other bylaws.*

**Effective Date and Implementation Issues:** Could be effective immediately with exception of currently participating students.